IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 27TH MARCH 2007 / 6TH CHAITHRA 1929

Bail Appl..No. 1847 of 2007()

CRIME NO.57/07 OF VALIYATHURA POLICE STATION

: PETITIONER/ACCUSED IN CRIME NO.57 OF 2007

GAIJU, AGED 27 YEARS, S/O LATE BABU,
RESIDING AT T.C.71/1762, PUTHUVAL PURAYIDOM,
ST.XAVIERS NAGAR, VALLAKKADAVU P.O.,
THIRUVANANTHAPURAM.

BY ADV. SRI.G.P.SHINOD
SRI.RAM MOHAN.G.
SRI.MANU V.

RESPONDENTS: COMPLAINANT IN CRIME NO.57 OF 2007

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1. STATE OF KERALA REPRESENTED BY THE
PUBLIC PROSECUTOR AT HIGH COURT OF KERALA,
ERNAKULAM.

2. THE CIRCLE INSPECTOR OF POLICE,
POONTHURA CIRCLE, POONTHURA POLICE STATION
COMPOUND, POONTHURA, THIRUVANANTHAPURAM.

3. THE SUB INSPECTOR OF POLICE,
VALIYATHURA POLICE STATION,
VALIYATHURA, THIRUVANANTHAPURAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 27/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 1847 OF 2007 A

Dated this the 27th day of March, 2007

O R D E R

Petitioner, who is the accused in Crime No.57/07 of Valiathura Police Station for offences punishable under sections 451 and 511 of 376 IPC, seeks anticipatory bail.

2. Learned Public Prosecutor opposed the application.

3. The case of the prosecution is that the petitioner, who is the distant neighbour of the defacto complainant, who is a 28 year old married woman, had criminally trespassed into her house and after forcefully catching her by her right hand, forcefully laid her on the cot and made certain prurience over chest.

4. Anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to permit the petitioner to surrender before the Investigating Officer for interrogation and then to have his application for regular bail considered by the Magistrate concerned. Accordingly, the petitioner is directed to surrender before the Investigating Officer on any day between 2.4.2007 and 4.4.2007 for the purpose of interrogation. The petitioner shall, thereafter, be produced on the same day before the concerned Magistrate, who shall consider and dispose of the application, if any, filed by the petitioner for regular bail, preferably on the same date on which it is filed.

This application is disposed of as above.

(V. RAMKUMAR, JUDGE)

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